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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,376	05/25/2001	Tadahiro Ohmi	107176-00007	1605

7590 11/10/2009  
ARENT FOX KINTNER PLOTKIN & KAHN PLLC  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, DC 20036-5339

EXAMINER
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ZERVIGON, RUDY

ART UNIT	PAPER NUMBER
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1792

MAIL DATE	DELIVERY MODE
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11/10/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* TADAHIRO OHMI, KAZUhide INO,  
And TAKAHIRO ARAKAWA

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Application No. 09/864,376  
Technology Center 1700

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Mailed: November 10, 2009

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Before Deborah L. Perry, Supervisory Paralegal Specialist, Review Team.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 21, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

APPEAL BRIEF

Appellant(s) filed an Appeal Brief dated April 1, 2009. There is no indication on the record that the Examiner has considered the above Appeal Brief.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) consider the Appeal Brief filed April 1, 2009, as required; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DLP/bar

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